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Security Council

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Letter dated 23 November 2009 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit to you the attached letter dated 6 November 2009 from Judge Dennis Byron, President of the International Criminal Tribunal for Rwanda (see annex).

In his letter, President Byron requests that the Security Council authorize Judge Erik Møse to serve at the International Tribunal beyond the expiry of his term of office so that he may complete the *Setako* case. The term of office of Judge Møse will expire on 31 December 2009.

I should be grateful if you would bring the letter from President Byron to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

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Annex

Letter dated 6 November 2009 from the President of the International Criminal Tribunal for Rwanda addressed to the Secretary-General

I am writing to you concerning the need for an exceptional authorization by the Security Council to allow one permanent judge to complete his assignments after the end of his term of office.

Judge Erik Møse, one of our permanent judges, did not wish to have his term of office extended by Security Council resolution 1878 (2009), as he expected to complete his work by December 2009.

Due in particular to staffing constraints, it is now, however, likely that the work on his last case, *Setako*, in which he is the Presiding Judge, will not be completed before early 2010. It is the intention of the Bench to deliver judgement before the end of February 2010.

Therefore, I ask the Security Council to authorize that Judge Møse finish the *Setako* case which he has begun before expiry of his term of office. Similar situations have been addressed by the Council in resolutions 1241 (1999) and 1482 (2003).

I would be grateful if you could bring this matter to the attention of the Security Council.

Finally, I would like to inform you that Judge Sergei Egorov is also part of the Bench in *Setako*. He resigned in August 2009 but was authorized by resolution 1878 (2009) to complete the cases which he began before his resignation. It is therefore my view that no resolution is necessary in his case.

(*Signed*) Judge Dennis **Byron**
President